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10 *Counsel for proposed intervenor,*
11 *Dennis Dilbeck*

12 **IN THE UNITED STATES DISTRICT COURT**
FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 **SAN FRANCISCO DIVISION**

14 NETFLIX, INC. a Delaware corporation,

15 Plaintiff,

16 v.

17 BLOCKBUSTER INC., a Delaware
corporation, and DOES 1-50,

18 Defendants.

No. C 06 2361 WHA JCS
Judge William Alsup

DECLARATION OF DENNIS DILBECK

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1 Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

- 2 1. I was not aware of the instant litigation between Netflix, Inc. and Blockbuster Inc. until
3 my counsel brought it to my attention.
4 2. I was not aware that Netflix had any particular patents, let alone the U.S. Patent Nos.
5 6,584,450 (the '450 patent) and 7,024,381 (the '381 patent), until my counsel brought it
6 to my attention.
7 3. I declare under penalty of perjury, that the foregoing is true and correct.
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9 Pursuant to Section X of the Northern District of California's General Order No. 45 on
10 electronic case filing and 28 U.S.C. § 1746, in lieu of Dennis Dilbeck's signature on this
11 declaration, Alan Himmelfarb attests that Dennis Dilbeck is the signatory of this declaration, and
12 that Dennis Dilbeck concurred to this declaration on October 11, 2006.
13

14 DATE: October 11, 2006

15 /s/Alan Himmelfarb
16 ALAN HIMMELFARB
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